

1 The Honorable John C. Coughenour  
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7 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 DISCOVERY PARK COMMUNITY  
ALLIANCE, *et al.*,

9 Petitioners,

10 vs.

11 CITY OF SEATTLE, *et al.*,

12 Respondents.

13 No. 2:19-cv-1105-JCC

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NOTIFICATION OF EXEMPTION  
FROM THE REQUIREMENTS OF  
FRCP 26(a) AND 26(f)

On May 21, this Court issued a Minute Entry Setting Initial Case Management Dates (Dkt. # 41), which says to notify the Courtroom Deputy Clerk if this case involves claims exempt from the requirements of FRCP 26(a) and 26(f). After transmitting the substance of this filing to the Courtroom Deputy Clerk via email, he directed Respondent City of Seattle to file the substance of that message.

The claims in this case are exempt from the requirements of FRCP 26(a) and 26(f). Petitioners brought this case under the Washington Land Use Petition Act (“LUPA”), Chapter 36.70C RCW. *See* Petition (Dkt. #1-2). Appeals under LUPA are based on an administrative record. RCW 36.70C.120. An action for review on an administrative record is exempt from the requirements of FRCP 26(a) and 26(f). FRCP 26(a)(1)(B)(i); FRCP 26(f)(1).

Although the City intends to comply with the Minute Entry's June 29, 2020, joint status report deadline, the City believes the parties are exempt from the FRCP 26(f) conference and FRCP 26(a) initial disclosure deadlines.

DATED June 4, 2020.

PETER S. HOLMES  
Seattle City Attorney

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*Attorneys for Respondent City of Seattle*

**NOTIFICATION OF EXEMPTION FROM THE REQUIREMENTS  
OF FRCP 26(a) AND 26(f) - 2**  
*DISCOVERY PARK COMM. ALLIANCE v. CITY OF SEATTLE*, No. 2:19-cv-1105

**Peter S. Holmes**  
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## **CERTIFICATE OF SERVICE**

I certify that on this day I electronically filed this document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to:

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*Attorneys for Respondent Seattle Public Schools*

I also certify that on this day I sent a copy of this document via e-mail to the same individuals.

Dated June 4, 2020, at Seattle, Washington.

/s/ Alicia Reise  
ALICIA REISE, Legal Assistant

NOTIFICATION OF EXEMPTION FROM THE REQUIREMENTS  
OF FRCP 26(a) AND 26(f) - 3  
*DISCOVERY PARK COMM. ALLIANCE v. CITY OF SEATTLE*, No. 2:19-cv-1105

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